

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

MAY 19, 2005

The Marlboro Township Council held a regularly scheduled Council meeting on May 19, 2005 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Pernice opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this regular meeting of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press, the Star Ledger and News Transcript on January 7, 2005; faxed to the Board of Education Office; posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Clerk called the Roll.

PRESENT: Councilman Mione, Council Vice President Morelli and Council President Pernice. Councilman Cantor and Councilman Denkensohn were absent.

Also present were: Mayor Robert Kleinberg, Andy Bayer, Esq., Business Administrator Judith Tiernan, Municipal Clerk Alida DeGaeta and Deputy Clerk Deborah Usalowicz.

Council Vice President Morelli moved that the minutes of April 7, 20 & 21, 2005 be approved. This motion was seconded by Councilman Mione and the minutes were passed on a roll call vote of 3 - 0 (Absent: Cantor and Denkensohn).

Council President Pernice opened the Public Hearing on Ordinance # 2005-14 (Prohibiting Parking - Hobart Street). As there was no one who wished to speak, the Public Hearing was closed. The following Resolution Res. # 2005-203/Ord.

2005-14 was introduced by reference as amended, offered by Councilman Mione, seconded by Council Vice President Morelli and passed on a roll call vote of 3 - 0 in favor (Absent: Cantor and Denkensohn).

RESOLUTION # 2005-203

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled:

ORDINANCE # 2005-14 (As Amended)

AN ORDINANCE AMENDING SECTION 138-38 "SCHEDULE I: NO PARKING" OF CHAPTER 138 "VEHICLES AND TRAFFIC", ARTICLE XIV "SCHEDULES" OF THE CODE OF THE TOWNSHIP OF MARLBORO TO PROHIBIT PARKING ON CERTAIN PARTS OF HOBART STREET IN THE TOWNSHIP OF MARLBORO

which was introduced on May 5, 2005, public hearing held May 19, 2005, be adopted on second and final reading this 19th day of May, 2005.

BE IT FURTHER RESOLVED that notice of the adoption of this ordinance shall be advertised according to law.

Council President Pernice opened the Public Hearing on Ordinance # 2005-18 (Bond Ordinance - Lighting Poles & Fixtures). As there was no one who wished to speak, the Public Hearing was closed. Since the adoption of this ordinance required a two-thirds majority, the following Resolution # 2005-204/Ord. # 2005-18 (Bond Ordinance - Lighting Poles & Fixtures) was tabled to the June 2nd agenda (Absent: Cantor and Denkensohn).

Council President Pernice opened the Public Hearing on Ordinance # 2005-19 (Bond Ordinance - Information Sign). As there was no one who wished to speak, the Public Hearing was closed. Since the adoption of this ordinance required a two-thirds majority, the following Resolution # 2005-205/Ord. # 2005-19 (Bond Ordinance - Information Sign) was tabled to the June 2nd agenda (Absent: Cantor and Denkensohn).

The following Res. # 2005-206/Ord. #2005-20 (Amending Recycling Fees) was introduced by reference, offered by

Council Vice President Morelli, and seconded by Councilman Mione. After discussion, the resolution/ordinance was passed on a roll call vote of 3 - 0 in favor (Absent: Cantor and Denkensohn).

RESOLUTION # 2005-206

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled:

ORDINANCE # 2005-20

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 62 "FEES," ARTICLE III "MUNICIPAL SERVICES," SECTION 62-4 "FEES" OF THE CODE OF THE TOWNSHIP OF MARLBORO

be introduced and passed on first reading and that the same be advertised according to law; and

BE IT FURTHER RESOLVED that the same be considered for final passage on June 2, 2005 at 8:00 p.m. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2005-20

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 62 "FEES," ARTICLE III "MUNICIPAL SERVICES," SECTION 62-4 "FEES" OF THE CODE OF THE TOWNSHIP OF MARLBORO

WHEREAS, the Township of Marlboro maintains a Bulk Drop-Off Center (the "Center") whereby residents may deposit certain specified bulk items for disposal in accordance with the policies established by the Township of Marlboro Department of Public Works; and

WHEREAS, the volume of bulk items being deposited at the Center has significantly increased, thereby increasing the costs to the Township to maintain the Center; and

WHEREAS, the Township is also incurring an additional cost to dispose of the Freon found in air conditioning units and refrigerators being deposited at the Center; and

WHEREAS, Section 62-4 of the Code of the Township of Marlboro sets forth certain fees associated with the performance of municipal services; and

WHEREAS, the Mayor and the Township Council desire to revise Section 62-4 to include an annual fee of \$75.00 for the use of the Center and an additional fee of \$25.00 to dispose of an air conditioning unit or refrigerator containing Freon.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey that Chapter 62 "Fees," Article III "Municipal Services," Section 62-4 "Fees" of the Code of the Township of Marlboro be amended and supplemented to include the following fees:

Service	Fee
Annual Usage Fee for Bulk Drop-Off Center	\$75.00
Fee (in Addition to Annual Usage Fee) for Disposal at Bulk Drop-Off Center of Air Conditioning Unit or Refrigerator Containing Freon	\$25.00 per item

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

The following Res. # 2005-207 (Certifying Marlboro Board of Education Budget) was introduced by reference, offered by Council President Pernice, seconded by Council Vice President Morelli and passed on a roll call vote of 3 - 0 in favor (Absent: Cantor and Denkensohn).

RESOLUTION # 2005-207

RESOLUTION CERTIFYING THE MARLBORO TOWNSHIP
BOARD OF EDUCATION 2005-2006 SCHOOL BUDGET

WHEREAS, the Marlboro Township Board of Education's 2005-2006 budget was defeated on April 19, 2005 and

WHEREAS, N.J.S.A. 18A:22-37 provides that the governing body shall determine the amount which, in the judgment of the governing body, is necessary to be appropriated for each item appearing in the proposed school budget in order to provide a thorough and efficient system of schools in the district; and

WHEREAS, the Township Council of the Township of Marlboro has been provided with the proposed school budget by the Marlboro Township Board of Education; and

WHEREAS, the Township Council has carefully reviewed the proposed budget and consulted with its professional and civic advisors; and

WHEREAS, the Township Council has consulted with the Marlboro Township Board of Education in accordance with the requirements of N.J.S.A. 18A:22-37; and

WHEREAS, on April 20, 2005, correspondence from the Marlboro Township Board of Education containing additional information regarding specific line items was delivered to the Township Council for its review; and

WHEREAS THE Township retained an independent certified public accountant, Holman & Frenia, P.C. 9("H&F"), to review and analyze the defeated school budget and H&F provided the Township with recommendations as to what budget cuts, if any, were appropriate; and

WHEREAS, after considering and reviewing the budget, the information provided by the Marlboro Township Board of Education and considering the report of the independent accounting firm, H&F, and after consultation with the Board of Education, the Township Council finds that the following line items should be reduced for the reasons set forth herein:

1. Account 11-000-261-100 (Salary Custodians) should be reduced by \$90,000.00.
Reason for Reduction: Comparative spending guide indicates the District's Maintenance and Custodial Salaries rank 83rd out of 95 comparable districts and four (4) schools appear to be overstaffed.
2. Account 11-000-221-110 (Administration New Staff Orientation) should be reduced by \$15,000.00.
Reason for Reduction: This line item has continued to be under-utilized.
3. Account 11-000-230-600 (Office Supply Assistant Superintendent-Recruiting Software) should be reduced by \$5,000.00.
Reason for Reduction: This software is not vital to the overall operation of the school.
4. Account 11-000-213-100 (Salary Substitute Nurse) should be reduced by \$10,000.00.
Reason for Reduction: A program could be instituted covering for absent nurses with current employees. It is recommended that one of the two full-time nurses at the Middle School be converted into a floating position.
5. Account 11-000-213-320 (Contracted Services - Physician) should be reduced by \$15,000.00.
Reason for Reduction: It is recommended that students be required to receive physicals from their private physicians.
6. Account 11-000-230-590 (School Notes - Community Relations) should be reduced by \$5,000.00.
Reason for Reduction: It is recommended that the school notes issues be cut in half.
7. Account 11-000-218-104 (Salary Professional Staff - Saturday) be reduced by \$10,000.00.
Reason for Reduction: It is recommended that discipline be limited to in-school and after school suspensions.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that the following amounts be certified as the amounts necessary to

provide a thorough and efficient system of education in the Marlboro Township School District without adversely affecting the quality of education for the students of the District:

Local Tax Levy -- General Fund
\$51,353,120.00

Local Tax Levy -- Debt Service Fund
\$ 4,762,132.00

State Aid & Miscellaneous Revenues
\$13,156,013.00

TOTAL: \$69,271,265.00

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following:

- a. Board President, Marlboro Township School District
- b. State Commissioner of Education
- c. Superintendent of Schools
- d. County Board of Taxation
- e. Township Attorney

Council took a 10-minute recess.

The following Res. # 2005-208 (Establishing Fees for Special Duty Assignments) was introduced by reference, offered by Councilman Mione, seconded by Council Vice President Morelli and passed on a roll call vote of 3 - 0 in favor (Absent: Cantor and Denkensohn).

RESOLUTION # 2005-208

A RESOLUTION AMENDING THE FEES FOR SPECIAL DUTY ASSIGNMENT
FOR POLICE OFFICERS

WHEREAS, various businesses operating within the Township of Marlboro from time to time request assistance from members of the Township of Marlboro Division of Police to perform special duty assignment services; and

WHEREAS, it is deemed to be in the interest of safety that personnel specially trained to undertake these activities be used in performance of these duties; and

WHEREAS, work performed is to be considered a "special duty assignment from independent contractors" pursuant to Section 4-98(E) of the Code of the Township of Marlboro and as such is exempt from the Fair Labor Standards Act; and

WHEREAS, Section 4-98(E) (6) of the Code of the Township of Marlboro provides that the charges for all extra duty services shall be set forth in a resolution adopted by the governing body; and

WHEREAS, said charges were initially established by Resolution #2000-105; and

WHEREAS, the Division of Police has recommended that the hourly rate for special duty assignments be amended as follows:

Construction Work	\$46.00 (formerly \$40.00)
Security Work	\$46.00 (formerly \$40.00)
Extracurricular School Work	\$30.00 (no change)
Non-Profit Sporting Event	\$30.00 (no change)
Other Non-Profit	\$30.00 (no change)
Other	\$46.00 (formerly \$40.00)

WHEREAS, the Division of Police further recommends that fifteen percent (15%) of the total hourly charge shall be retained by the Township as a surcharge for administrative costs and an additional \$.50 per hour shall be deposited in the Township Road Job account and the remaining payment shall be paid to the officer performing the services; and

WHEREAS, these amended rates have been agreed to by the majority representatives of the collective bargaining units of the employees affected; and

WHEREAS, such assignments are to be approved through the Chief of Police and are subject to all other provisions of Section 4-98(C) of the Code of the Township of Marlboro.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the Chief of Police or his designee is hereby authorized for and on behalf of the Township to enter into agreements and/or amendments to agreements providing for special duty assignments for which the Township shall be compensated as

set forth above per hour and under the conditions set forth above; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Chief of Police
- b. Business Administrator
- c. Chief Financial Officer
- d. Gluck Walrath LLP

The following Res. # 2005-209 (Approving and Endorsing Development Easement Monmouth County Agricultural Development Board) was introduced by reference, offered by Council President Pernice, seconded by Councilman Mione and passed on a roll call vote of 3 - 0 in favor (Absent: Cantor and Denkensohn).

RESOLUTION # 2005-209

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A DEVELOPMENT EASEMENT TO THE MONMOUTH COUNTY AGRICULTURE DEVELOPMENT BOARD FOR A PORTION OF THE TOWNSHIP-OWNED PROPERTY KNOWN AS BLOCK 159, LOT 1 (TO BECOME LOT 1.01)

WHEREAS, the Township of Marlboro submitted an application to the Monmouth County Agriculture Development Board to sell a development easement for a Township-owned property located in the Township of Marlboro and known as Block 159, Lot 1 (to become Lot 1.01) comprising of approximately 47 acres (the "Property"); and

WHEREAS, the Township Council of the Township of Marlboro is aware of the future restrictions on property protected from development as a result of the purchase of a development easement in accordance with the Right to Farm Act and the Agriculture Retention and Development Act; and

WHEREAS, the Monmouth County Agriculture Development Board has established a policy requiring local cost share commitment for all easement purchases.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the sale to the Monmouth County Agriculture Development Board of the

development easement for the Property be and hereby is approved; and

BE IT FURTHER RESOLVED that the purchase price for the development easement shall be reduced in accordance with the rate specified within the Monmouth County Agriculture Development Board's Procedures Governing the Funding of Easement Purchases policy adopted August 7, 2002; and

BE IT FURTHER RESOLVED, that three certified copies of this Resolution be sent to the Monmouth County Agriculture Development Board office and one copy each to the Township of Marlboro Planning Board, Tax Assessor and Tax Collector.

The following Res. # 2005-210 (Authorizing Agreement U.S. Army Corp. of Engineers - Watershed Project) was introduced by reference, offered by Councilman Mione, seconded by Council Vice President Morelli and passed on a roll call vote of 3 - 0 in favor (Absent: Cantor and Denkensohn).

RESOLUTION # 2005-210

A RESOLUTION AUTHORIZING THE EXECUTION OF A PLANNING ASSISTANCE AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND THE UNITED STATES ARMY CORPS OF ENGINEERS

WHEREAS, the United States Congress has authorized the United States Army Corps of Engineers through Section 22 of the Water Resources Development Act of 1974 (Public Law 93-251), as amended, to assist the State of New Jersey in the preparation of a comprehensive plan for the development, utilization and conservation of water and related land resources; and

WHEREAS, Section 319 of the Water Resources Development Act of 1990 (Public Law 101-640) authorized the Government to collect from non-federal entities fees for the purpose of recovering fifty percent of the cost of the program; and

WHEREAS, the Township of Marlboro has reviewed the State of New Jersey's comprehensive water plans and identified the need for planning assistance with respect to various watersheds within the Township of Marlboro; and

WHEREAS, the Township of Marlboro desires to enter into a Planning Assistance Agreement with the United States Army Corps of Engineers, whereby the Government would undertake certain necessary watershed studies and the Township of Marlboro would agree to contribute cash and in-kind services equal to fifty percent of the study costs.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the Mayor is authorized to execute the attached Planning Assistance Agreement between the United States Army Corps of Engineers and the Township of Marlboro; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. United States Army Corps of Engineers
- b. Business Administrator
- c. Township Engineer
- d. Chief Financial Officer
- e. Gluck Walrath, LLP

The following Res. # 2005-211 (Authorizing Agreement H & F - Auditing Services) was introduced by reference, offered by Council Vice President Morelli, seconded by Councilman Mione and passed on a roll call vote of 3 - 0 in favor (Absent: Cantor and Denkensohn).

RESOLUTION # 2005-211

A RESOLUTION AUTHORIZING THE EXECUTION OF A
CONTRACT BETWEEN HOLMAN AND FRENIA, P.C. AND THE
TOWNSHIP OF MARLBORO FOR THE PROVISION OF
ACCOUNTING SERVICES IN CONNECTION WITH THE
REVIEW OF THE DEFEATED SCHOOL BUDGET

WHEREAS, the general fund tax levy for the base budget of the Township of Marlboro School District has been defeated by the voters at the annual school election; and

WHEREAS, the Township of Marlboro is obligated pursuant to N.J.S.A. 18A:22-37 to review said budget and to take certain action regarding same; and

WHEREAS, the Township of Marlboro is in need of certain accounting services in order to meet its obligations under N.J.S.A. 18A:22-37; and

WHEREAS, Holman and Frenia, P.C. has submitted a proposal to provide such services for an hourly rate of \$140.00 and for a total amount not to exceed \$5,000.00; and

WHEREAS, Administration has recommended that the Township of Marlboro enter into a contract with Holman and Frenia, P.C.; and

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the Mayor is hereby authorized to execute a contract, in a form legally acceptable to the Township Attorney, between Holman and Frenia, P.C. and the Township of Marlboro for the provision of certain accounting services in connection with the review of the defeated school budget for an hourly rate of \$140.00 and a total amount not to exceed \$5,000.00; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Holman and Frenia, P.C.
- b. Township Administrator
- c. Township Chief Financial Officer
- d. Gluck Walrath, LLP

After recommendation from Andy Bayer, Esq., consensus of Council was to table Res. # 2005-212 (Authorizing Release of Bond to Township - Repairs) to the June 2nd agenda.

As the consent agenda, the following Resolutions were introduced by reference, offered by Council Vice President Morelli, seconded by Council President Pernice and passed on a roll call vote of 3 - 0 in favor (Absent: Cantor and Denkensohn): Res. #2005-213 (Authorizing Purchase/Installation Computer - HVAC), Res. #2005-214 (Authorizing Purchase/Installation Coil - HVAC), Res. #2005-215 (Award of Bid - Recreation Busing), Res. #2005-216 (Reject Bid - 4 X 4 Utility Vehicle for DPW, Res. #2005-217 (Redemption Tax Sale Certs. - Various), Res. #2005-218 (Refund to WMUA for B. 107, L. 1), Res. #2005-219 (Refund to MTMUA - Various) and Res. #2005-220 (Refund to WMUA for Tax Liens - Various).

RESOLUTION # 2005-213

RESOLUTION AUTHORIZING THE PURCHASE AND
INSTALLATION OF A TRIDIUM COMPUTER PROGRAM AND
RELATED EQUIPMENT FOR THE ADMINISTRATION BUILDING
HVAC SYSTEM FOR THE TOWNSHIP OF MARLBORO
DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Marlboro Township Department of Public Works contacted certain companies to request estimates for the purchase and installation of a Tridium Computer Program and related equipment; and

WHEREAS, the Department of Public Works received the following estimates:

1. Airhandlers Mechanical Services, Haddon Heights, New Jersey - \$11,780.00
2. Fire & Ice Mechanical Services, Gloucester, New Jersey - \$17,670.00
3. Alber Service Co., Pennsauken, New Jersey - \$19,650.00

WHEREAS, the lowest estimate for the purchase of the aforementioned item is less than \$17,500.00 in the contract year, thereby allowing a contract to be awarded pursuant to N.J.S.A. 40A:11-3 without public advertising for bids; and

WHEREAS, the Administration and the Department of public Works have reviewed the estimates received and recommend that a contract be awarded to Airhandlers Mechanical Services for the purchase of the aforementioned item; and

WHEREAS, funds are available in Capital Account X-04-55-955-920 and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Township Council desires to approve the purchase of said software;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted for the purchase and installation of a Tridium Computer Program and related equipment from Airhandlers Mechanical Services, PO Box 178, Haddon Heights, NJ 08035; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Airhandlers Mechanical Services, Haddon Heights, NJ
- b. Township Administrator
- c. Township Department of Public Works
- d. Township Chief Financial Officer
- e. Gluck Walrath, LLP

RESOLUTION # 2005-214

RESOLUTION AUTHORIZING THE PURCHASE AND
INSTALLATION OF ONE (1) MULTI AQUA FAN COIL UNIT
AND RELATED EQUIPMENT FOR THE ADMINISTRATION
BUILDING HVAC SYSTEM FOR THE TOWNSHIP OF MARLBORO
DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Marlboro Township Department of Public Works contacted certain companies to request estimates for the purchase and installation of one (1) Multi Aqua fan coil unit and related equipment; and

WHEREAS, the Department of Public Works received the following estimates:

- 1. Airhandlers Mechanical Services, Haddon Heights, New Jersey - \$4,885.00

2. Fire & Ice Mechanical Services, Gloucester, New Jersey - \$7,325.00
3. Alber Service Co., Pennsauken, New Jersey - \$7,850.00

WHEREAS, the lowest estimate for the purchase of the aforementioned item is less than \$17,500.00 in the contract year, thereby allowing a contract to be awarded pursuant to N.J.S.A. 40A:11-3 without public advertising for bids; and

WHEREAS, the Administration and the Department of public Works have reviewed the estimates received and recommend that a contract be awarded to Airhandlers Mechanical Services for the purchase of the aforementioned item; and

WHEREAS, funds are available in Capital Account X-04-55-955-920 and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Township Council desires to approve the purchase of said software;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted for the purchase and installation of one (1) Multi Aqua fan coil unit and related equipment from Airhandlers Mechanical Services, PO Box 178, Haddon Heights, NJ 08035; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Airhandlers Mechanical Services, Haddon Heights, NJ
- b. Township Administrator
- c. Township Department of Public Works
- d. Township Chief Financial Officer
- e. Gluck Walrath, LLP

RESOLUTION # 2005-215

A RESOLUTION AWARDDING A CONTRACT TO GREENWOOD BUS SERVICE, INC. FOR THE PROVISION OF SCHOOL BUS TRANSPORTATION SERVICES FOR THE TOWNSHIP OF MARLBORO RECREATION AND PARKS COMMISSION

WHEREAS, the Township of Marlboro has authorized the acceptance of bids to provide certain bus transportation service to the Township of Marlboro Recreation and Parks Commission; and

WHEREAS, bids were accepted for the following categories: (1) Summer Camp Transportation (passenger school bus); (2) Daily Shuttle Service to Swimming Pools (passenger school bus); and (3) In State Bus Trips (passenger school bus); and

WHEREAS, one bid was received from Greenwood Bus Service, Inc. of 327 Greenwood Road, Matawan, New Jersey 07747 for Summer Camp Transportation; Daily Shuttle Service to Swimming Pools; and In State Bus Trips for those amounts set forth on the attached schedules (the "Schedules") which are incorporated herein by reference; and

WHEREAS, the Township Attorney has determined that the bid of Greenwood Bus Service, Inc. is responsive; and

WHEREAS, Administration and the Township of Marlboro Recreation and Parks Commission recommend that the contract for Summer Camp Transportation; Daily Shuttle Service to Swimming Pools; and In State Bus Trips be awarded to the lowest responsive bidder, Greenwood Bus Service, Inc., for those amounts set forth on the Schedules; and

WHEREAS, the Chief Financial Officer of the Township has certified that sufficient funds are available to pay the cost of the aforesaid contract.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that the contract for Summer Camp Transportation; Daily Shuttle Service to Swimming Pools; and In State Bus Trips be and hereby is awarded to Greenwood Bus Service, Inc. for a period of one-year with the option to renew for an additional year at the same rates set forth in the bid proposal and that the Mayor is authorized to execute a contract, in a form legally acceptable to the Township Attorney, between the Township of Marlboro and Greenwood Bus Service, Inc. in accordance with the bid submitted by Greenwood Bus Service, Inc.; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- a. Greenwood Bus Service, Inc.
- b. Recreation and Parks Commission
- c. Chief Financial Officer
- d. Township Administrator
- e. Gluck Walrath, LLP

RESOLUTION # 2005-216

BE IT RESOLVED by the Township Council of the Township of Marlboro that all bids heretofore received for

4x4 Utility Vehicle for DPW

are hereby rejected and the Business Administrator is authorized and directed to return the bid bond or other security to the appropriate bidder.

RESOLUTION # 2005-217

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$36,213.03 as per Schedule "A",

WHEREAS, the holders of the above-mentioned tax sale certificates are entitled to the amount of the sale plus interest and costs,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$36,213.03 be refunded to the certificate holders as per Schedule "A",

SCHEDULE "A"

<u>LIEN NO</u>	<u>BLOCK/LOT</u>	<u>LIEN HOLDER</u>	<u>AMOUNT</u>
02-21	360.01/8	Crusader Servicing Corp.	\$18,918.69
	Kings Court	179 Washington Lane	
		Jenkintown, PA 19046	
05-25	299/165	Fidelity Tax Corp.	15,574.30
	563 Union Hill Rd.	P.O. Box 5707	
		Fort Lauderdale, FL 33310	
05-35	176/7 C0969	Berkshire Investment I, LLC	418.56
	969 Lily Court	c/o Scott Borsack	
		13 Berkshire Drive	
		West Windsor, NJ 08550	

05-41 268.03/16 Culmac, Inc. 1,301.48
9 Crest Drive P.O. Box 251
Monmouth Beach, NJ 07750

TOTAL: \$36,213.03

RESOLUTION # 2005-218

WHEREAS, current sewer charges in the amount of \$166.55 for Block 107 Lot 1, located at 29 Wicker Place, assessed to Karma of Works, LLC, have been paid by Wachovia Cust. for Phoenix Funding, lienholder of the Tax Sale Certificate #05-2 on the above-referenced property,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the above-mentioned sewer charges in the amount of \$166.55 be refunded to the Western Monmouth Utilities Authority.

RESOLUTION # 2005-219

WHEREAS, tax sale certificates sold at the 2005 Tax Lien Sale included delinquent water charges in the amount of \$412.14 as per Schedule "A",

WHEREAS, the above-mentioned tax sale certificates were bought by a third party,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the above-mentioned water charges in the amount of \$412.14 be refunded to the MTMUA.

RESOLUTION # 2005-220

WHEREAS, tax sale certificates sold at the 2005 Tax Lien Sale included delinquent sewer charges in the amount of \$4,043.07 as per Schedule "A",

WHEREAS, the above-mentioned tax sale certificates were bought by a third party,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the above-mentioned sewer charges in the amount of \$4,043.07 be refunded to the Western Monmouth Utilities Authority.

SCHEDULE "A"

<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSED OWNERS</u>	<u>AMOUNT</u>	<u>CERT.#</u>
107	1	Karma of Works, LLC	\$ 229.15	05-2
173	7 C0386	Tuttle, Jason	358.53	05-16
188	1	Braunstein, Edward	423.94	05-19
120.02	30	Mikrut, Michelle J.	196.67	05-31
143.03	2	Hunt, Dennis Jr. & Joann	155.24	05-32
150	1	N.J. Home Funding Group, LLC	391.88	05-33
173	7 C0388	Celanges, Sylvia	164.19	05-34
176	7 C0969	Soltesz, Laura	206.56	05-35
178	290 C0221	Lieberman, Alex & Adelina	103.30	05-36
190	13	Tatarintseva, Yuliya	259.37	05-37
193.09	10	Cardoso, Joao A. & Lidia M.	455.95	05-38
246	4	Powers, Stephen E. & Susan M.	170.93	05-39
255	21	Etkin, Jill	103.30	05-40
268.03	16	Rufino, Milagros	389.48	05-41
346	1	Moskowitz, Steven & Rona	133.14	05-42
412	260	Noh, Tai & Young	103.30	05-43
412.04	12	Bolton, Dianna	198.14	05-44

TOTAL: \$4,043.07

At 10:00 PM, Council Vice President Morelli moved that the meeting be adjourned. This was seconded by Councilman Mione, and as there was no objection, the Clerk was asked to cast one ballot (Absent: Cantor and Denkensohn).

MINUTES APPROVED: June 16, 2005

OFFERED BY: Morelli AYES: 3

SECONDED BY: Pernice NAYS: 0
ABSTAIN: Cantor/Denkensohn

ALIDA DE GAETA
MUNICIPAL CLERK

JOSEPH PERNICE
COUNCIL PRESIDENT

